

**IN THE
UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

ASSOCIATION OF AMERICAN
RAILROADS,

Petitioner,

v.

FEDERAL RAILROAD
ADMINISTRATION, et al.,

Respondents.

PETITION FOR REVIEW
No. 14-1207

STATEMENT OF THE ISSUES

Petitioner challenges a decision conveyed via letter dated August 18, 2014 from the Associate Administrator Robert C. Lauby concerning the Federal Railroad Administration's (FRA) interpretation of the Hours of Service laws.

Petitioner anticipates raising at least the following issues:

1. Whether the FRA exceeded its statutory authority by concluding that running the self-test function on the "Ultra-Cab II" signal system is a "covered service" for purposes of Hours of Service laws.
2. Whether the FRA acted arbitrarily and capriciously by ignoring its own prior interpretation of the Hours of Service laws in issuing the August 18 letter.

3. Whether other aspects of the August 18 letter are arbitrary and capricious.

Petitioner reserves the right to raise additional issues and/or modify the foregoing.

Dated: November 19, 2014

Respectfully submitted,

/s/ Thomas H. Dupree, Jr.

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